

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 18 1986

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEP 18 1986The applicant Wilma F. McCullough771 16th Ave. of Salt Lake City
Street and No. or P.O. Box No. City or TownUtah 84103 hereby makes application for permission to change the
State and Zip Code No.Point of Diversion
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit 46017
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andidentify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed .5 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining, milling & domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for mining, milling & domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within Lot 4 of Section 13, T.28N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.33E., M.D.B. & M. or at a point from which the SE corner of Section
distance to a section corner. If on unsurveyed land, it should be stated.
24, T.28N., R.33E., M.D.B. & M. bears S 2°59' E 5785'.
6. The existing permitted point of diversion is located within the NE¼ SW¼ of Section 13, T.28N.,
If point of diversion is not changed, do not answer.
R.33E., M.D.B. & M. or at a point from which the NW corner of Section
32, T.28N., R.34E., M.D.B. & M. bears S 36°48' E 15630'.
7. Proposed place of use unchanged
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use N½ NW¼ SW¼, E½ SW¼, S½ SE¼ of Section 13, T.28N.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R.33E., M.D.B. & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) a drilled well & pipeline to mill area
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works in excess of \$1,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Exploratory drill holes were made near the existing point of
diversion and sufficient quantities of water were not encountered.
The proposed mill would be uphill from the existing point of
diversion resulting in an additional expense of pumping water
uphill.

By John H. Milton III as agent
s/John H. Milton III

146 West Second Street
Winnemucca, Nevada 89445

Compared cc/se pm/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 46017 is issued subject to the terms and conditions imposed in said Permit 46017 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 39.32 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 12, 1988

Proof of completion of work shall be filed before November 12, 1988

Application of water to beneficial use shall be made on or before October 12, 1988

Proof of the application of water to beneficial use shall be filed on or before November 12, 1988

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed _____ my office, this 20th day of August

Certificate No. _____ Issued _____ A.D. 19 87

Peter G. Morros
 State Engineer

2407 (Rev. 6-81)
 CANCELLED APR 03 1995 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Richard J. Fitzgerald STATE ENGINEER